

TANNENBAUM HELPERN SYRACUSE & HIRSCHTRITT LLP

900 THIRD AVENUE

NEW YORK, NEW YORK 10022-4775

(212) 508-6700

FACSIMILE: (212) 371-1084

Jason B. Klimpl

Direct Dial: (212) 508-7529

E-mail: klimpl@thsh.com

September 16, 2015

VIA ECF

Honorable Valerie Caproni
United States District Judge
40 Foley Square, Room 240
New York, NY 10007

Re: *Mikell v. Forrest Staffing Solutions et al.* (14-CV-9595 (VEC))
Motion to Dismiss; Stay of Discovery Deadlines

Dear Judge Caproni:

We represent the Defendants in connection with the above-referenced matter and write in connection with the amended complaint filed by the Plaintiff shortly after yesterday's conference with Your Honor.

After a careful review of the amended complaint and the allegations therein, the Defendants believe that the Plaintiff has failed to state a cause of action against them. The Defendants also believe that any additional attempts by the Plaintiff to amend his pleading to state a claim would be futile. Accordingly, the Defendants intend to move to dismiss the amended complaint in its entirety pursuant to F.R.C.P. 12(b)(6).

We write to respectfully request that Your Honor stay the discovery deadline during the pendency of the Defendants' motion. At yesterday's conference Your Honor set a discovery deadline of October 23, 2015. However, the Defendants wish to avoid the legal fees and costs associated with conducting discovery while their dispositive motion is pending.

Accordingly, Defendants respectfully request that the Court stay the discovery deadline during the pendency of the Defendants' forthcoming motion to dismiss. Thank you Your Honor for your attention to this matter.

Respectfully submitted,



Jason B. Klimpl

cc: Lamont Mikell (by e-mail)